

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JUSTIN LAYSHOCK, a minor, by and
through his parents, DONALD
LAYSHOCK and CHERYL LAYSHOCK,
individually and on behalf of their son,

Plaintiffs,

v.

HERMITAGE SCHOOL DISTRICT,
KAREN IONTA, District Superintendent,
ERIC W. TROSCH, principal Hickory
High School, CHRIS GILL, Co-Principal
Hickory High School, all in their official
and individual capacities,

Defendants.

2:06-cv-116

ORDER OF COURT

AND NOW, this 13th day of April, 2006, upon careful review of Defendant's MOTION FOR RECONSIDERATION, OR IN THE ALTERNATIVE, FOR CLARIFICATION OF THE ORDER DENYING THE MOTION FOR LEAVE TO FILE THIRD-PARTY COMPLAINT, and the brief in support (*Document Nos. 32 & 33*), and it appearing that the Court did not err in denying Defendants' Motion for Leave to File Third Party Complaint, that said Motion was primarily an attempt to sever Plaintiffs from their chosen representative, that Plaintiffs simply do not allege damages to reputation which arise out of their own actions and/or the actions of the ACLU (*see* Complaint at ¶ 56 - "Justin and his parents have suffered injury *as a result of the School District's actions*, including, but not limited to, emotional and physical pain and suffering and injury to his reputation."), that there is no need to clarify the April 7, 2006 Memorandum Opinion and Order of Court, that there is no valid basis in law to permit a third-party complaint to be filed against the ACLU, and that such a complaint would result in undue prejudice to Plaintiffs through a conflict of interest with their chosen legal representative,

NOW THEREFORE, Defendants' Motion for Reconsideration, or in the Alternative, for Clarification of the Order Denying the Motion for Leave to File Third Party Complaint is **DENIED.**

BY THE COURT:

s/ Terrence F. McVerry
United States District Court Judge

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